

From: [Carr, Brian](#)
To: [Selman, Russell B.](#)
Subject: Fw: Draft EPA/NYC RD Consent Order
Date: Tuesday, November 10, 2015 2:40:37 PM
Attachments: [EPA Draft NYC Gowanus AOC 11 10 2015.docx](#)

Russ,

Attached please find EPA's draft of an order with the City, which my supervisor agreed that I should provide to you and your client National Grid as an FYI, given how closely involved aspects of National Grid's Fulton MGP cleanup will be.

The contours of this order, as well as any future EPA order with National Grid, and any cost issues between the City and National Grid, are obviously complex and significant.

EPA is meeting this Friday to discuss the order with NYC.

I will be in contact with you shortly to discuss this matter.

Thank you,

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From: Carr, Brian
Sent: Tuesday, November 10, 2015 1:57 PM
To: King, Christopher (Law)
Cc: Robert Fox
Subject: Draft RD Order
Gentlemen,

Attached please find a draft order with terms consistent with those EPA provided to the City on October 26th. As you know, at that time EPA indicated that we would allot 3 months to execute a consent order.

I apologize for not providing a draft slightly sooner. As you may notice, the terms of the draft

order are complex, and various reviews were required. Among other things, EPA rarely converts all or part of a unilateral order to a consent order. Please note that the draft is still subject to further government comment.

Given the timing and complexity, I anticipate that we will devote much of our discussion this Friday towards a shared understanding of the draft.

EPA will next be providing a draft of Appendix B, the Work Schedule, which I hope to have prior to the meeting.

Please let me know if you have any questions.

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